

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

IMER MARTINEZ,	:	
	:	Civil Action No. 09-2194 (RMB)
Plaintiff,	:	
	:	
v.	:	<b>ORDER</b>
	:	
STATE OF NEW JERSEY,	:	
	:	
Defendant.	:	<b>CLOSED</b>

For the reasons expressed in the Opinion filed herewith,  
IT IS on this 14th day of May 2009,

**ORDERED** that the Clerk of the Court shall supply to Plaintiff a blank form Complaint to be used by a prisoner in a civil rights action, a blank form petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254, and appropriate blank form Applications to Proceed In Forma Pauperis in a civil rights action and in a habeas corpus action; and it is further

**ORDERED** that the Clerk of the Court shall administratively terminate this case, without filing the Complaint or assessing a filing fee; and it is further

**ORDERED** that if Plaintiff wishes to reopen this action, he shall so notify the Court, in writing addressed to the Clerk of the Court, Mitchell H. Cohen Building and U.S. Courthouse, Fourth and Cooper Streets, Camden, New Jersey, 08101, within 30 days after the date of entry of this Order. To the extent Plaintiff seeks to proceed with a civil rights action under 42 U.S.C.

§ 1983, Plaintiff's writing shall include a complaint, in compliance with the Rules of Civil Procedure, and either (1) a complete in forma pauperis application, including an affidavit of indigence and six-month prison account statement, certified by the appropriate official of each prison at which the prisoner is or was confined, or (2) the \$350 filing fee. To the extent Plaintiff seeks to proceed with a petition for writ of habeas corpus under either 28 U.S.C. § 2241 or § 2254, Plaintiff's writing shall include an appropriate petition, naming a proper respondent, and either (1) the \$5 filing fee or (2) an application for leave to proceed in forma pauperis including the certification required by Local Civil Rule 81.2(b). To the extent Plaintiff seeks to proceed with both a civil action and an action for habeas corpus relief, such actions must be brought separately; and it is further

**ORDERED** that the Clerk of the Court shall correct the Docket in this action to reflect that Plaintiff failed to name a defendant; and it is further

**ORDERED** that the Clerk of the Court shall serve a copy of this Order upon Plaintiff by regular U.S. mail.

s/Renée Marie Bumb  
Renée Marie Bumb  
United States District Judge